

FOR PUBLICATION

**UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT**

GREATER LOS ANGELES AGENCY
ON DEAFNESS, INC.; DANIEL
JACOB; EDWARD KELLY; JENNIFER
OLSON, on behalf of themselves
and all others similarly situated,
Plaintiffs-Appellees,

v.

CABLE NEWS NETWORK, INC.,
incorrectly sued as Time Warner
Inc.,
Defendant-Appellant.

No. 12-15807

D.C. No.
3:11-cv-03458-LB

NOTICE OF
WITHDRAWAL
OF REQUEST
FOR
CERTIFICATION

Filed October 10, 2014

Before: J. Clifford Wallace, M. Margaret McKeown,
and Sandra S. Ikuta, Circuit Judges.

**NOTICE OF WITHDRAWAL OF REQUEST FOR
CERTIFICATION**

In an order filed February 5, 2014, we asked the Supreme Court of California to answer a certified question pursuant to Rule 8.548 of the California Rules of Court. The Supreme Court of California accepted certification on March 26, 2014. On September 12, 2014, CNN filed a motion to dismiss voluntarily the appeal in the Ninth Circuit pursuant to Federal

Rule of Appellate Procedure 42(b). We granted that motion in an order filed contemporaneously with this notice. Accordingly, this court's request for certification to the Supreme Court of California is withdrawn.

The Clerk of this Court shall forward an original and 10 copies of this notice, under official seal, to the Supreme Court of California, along with a certificate of service on the parties, copies of CNN's motion to dismiss voluntarily the appeal pursuant to Federal Rule of Appellate Procedure 42(b), and the order granting the motion.

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ORDER

Filed October 10, 2014

Before: J. Clifford Wallace, M. Margaret McKeown,
and Sandra S. Ikuta, Circuit Judges.

COUNSEL

Thomas R. Burke (argued), Rochelle L. Wilcox, Janet L. Grumer, Jeff Glasser, Davis Wright Tremaine, San Francisco, California; Ronald London, Davis Wright Tremaine, Washington, D.C., for Defendant-Appellant.

Laurence W. Paradis (argued), Mary-Lee K. Smith, and Michael Nunez, Disability Rights Advocates, Berkeley, California; Linda M. Dardarian and Jason H. Tarricone, Goldstein, Demchak, Baller, Borgen & Dardarian, Oakland, California; Peter Blanck, Syracuse, New York, for Plaintiffs-Appellees.

Karl Olson, Ram, Olson, Cereghino & Kopczynski, San Francisco, California, for Amici Curiae Los Angeles Times Communications LLC, McClatchy Newspapers, Inc., Hearst Corporation, California Newspaper Publishers Association, and California Broadcasters Association.

John F. Waldo, Portland, Oregon, for Amici Curiae Washington State Communication Access Project, Oregon Communication Access Project, Association of Late Deafened Adults (ALDA), Aloha State (Hawaii) Association of the Deaf, Arizona Association of the Deaf, California Association of the Deaf, Nevada Association of the Deaf, Idaho Association of the Deaf, and Oregon Association of the Deaf.

Howard A. Rosenblum and Andrew S. Phillips, National Association of the Deaf, Silver Spring, Maryland; Blake E. Reid and Angela J. Campbell, Institute for Public Representation, Georgetown Law, Washington, D.C., for Amici Curiae Telecommunications for the Deaf and Hard of Hearing, Inc., National Association of the Deaf, and the Hearing Loss Association of America.

ORDER

Appellant CNN's unopposed motion to dismiss voluntarily the appeal pursuant to Federal Rule of Appellate Procedure 42(b) is **GRANTED**. The parties have agreed that CNN will not pursue attorneys' fees and costs. Accordingly, the appeal is **DISMISSED** with prejudice. A copy of this order shall serve as and for the mandate of this court.